

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4147 OF 2004

Shri Pandurang Sahakari Sakhar
Karkhana Ltd. Petitioner
v/s.
State of Mah. & ors. .. Respondents
Mr.A.V.Anturkar for petitioner (absent).
Mr.C.R.Sonawane, AGP for res.Nos.1 to 3.
Mr.Dilip Bodke for res.No.5.

CORAM : H.L. GOKHALE &
SMT.R.S.DALVI, JJ.

DATE : 4th July 2005

P.C. :

1. We had heard this matter on 27th June 2005. The contention in the petition is that the disputed Circular dated 28th April 2004 is contrary to the Government Resolution (GR) dated 31st March 2004. The case of the petitioner is that under the GR dated 31st March 2004 the monies made available by the Government were to be utilised by the sugar factories only for paying the dues of the farmers making available sugarcane to the factories and not for any other purpose. It was submitted that the circular of 28th April 2004 runs contrary. We have seen the circular dated 28th April 2004. What has happened is that the copy of this circular which is annexed to the petition in Marathi does not contain the

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correct Clauses 8 and 9.

2. Mr.Bodke, learned Counsel appearing for respondent No.5, has pointed out as to what are the correct clauses. In fact, the translation of this circular, which is annexed to the petition, is a correct one. Having seen this translation, we find that there is no contradiction between the circular and this GR. This was brought to the notice of Mr.Anturkar appearing for the petitioner on the last date. He had taken time to take instructions. Today, he is not present. The petition is dismissed.

(H.L. GOKHALE, J.)

(SMT. R.S.DALVI, J.)